

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                             |   |                    |
|-----------------------------|---|--------------------|
| -----X                      | : |                    |
| SERGIO HERNANDEZ,           | : |                    |
|                             | : |                    |
| Plaintiff,                  | : | 21 Civ. 6753 (LGS) |
|                             | : |                    |
| -against-                   | : |                    |
|                             | : | <u>ORDER</u>       |
| LAKE AVE PIZZA LLC, et al., | : |                    |
|                             | : |                    |
| Defendants.                 | : |                    |
| -----X                      |   |                    |

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the Order, dated September 15, 2021, required the parties to file a proposed joint letter and case management plan no later than seven days before the initial pretrial conference (Dkt. No. 8);

WHEREAS, the initial pretrial conference is scheduled for October 28, 2021, at 10:50 A.M.;

WHEREAS, on September 20, 2021, Plaintiff filed affidavits of service as to both Defendants (Dkt. Nos. 9, 10);

WHEREAS, Defendants have not appeared in this case and have not timely responded to the Complaint;

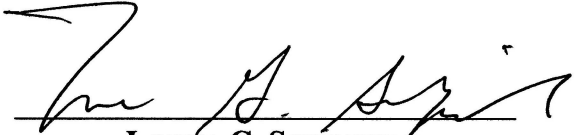
WHEREAS, the parties failed to file the joint letter or proposed case management plan. It is hereby

**ORDERED** that, if Plaintiff is in communication with Defendants, the parties shall file the joint letter and proposed case management plan as soon as possible and no later than **October 25, 2021, at noon**, and shall explain why they have not complied with the Court's deadlines. If Defendants refuse to cooperate in the preparation of these documents, Plaintiff shall prepare and file them. If Plaintiff is not in communication with Defendants, no later than **October 25, 2021**,

**at noon**, Plaintiff shall file a letter (1) requesting adjournment of the initial pretrial conference for up to 30 days and (2) proposing a date prior to the conference to present an Order to Show Cause for default judgment as to Defendants and related papers as provided in the Court's Individual Rules. It is further

**ORDERED** that Plaintiff shall serve a copy of this Order on Defendants, and shall file affidavits of service no later than **November 5, 2021**.

Dated: October 22, 2021  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**